


# HANDBOOK FOR LIQUOR LICENSEES

Washington State  
Liquor Control Board

Grocery and Convenience Store License

Beer and/or Wine Specialty Store License

Beer and/or Wine Gift Delivery License



Washington State Liquor Control Board  
3000 Pacific Ave. SE, Olympia, WA 98504  
Tel: (360) 664-1600 Fax: (360) 664-0501  
wslcb@liq.wa.gov [www.liq.wa.gov](http://www.liq.wa.gov)

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# MISSION, VISION, VALUES, GOALS

## Mission

The mission of the Liquor Control Board is to serve the public by preventing the misuse of alcohol and tobacco through controlled distribution, enforcement, and education; and provide excellent customer service by operating efficient, convenient, and profitable retail stores.

## Vision

Enhancing the quality of life in the State of Washington by effective enforcement of liquor laws while maximizing revenues through responsible alcohol sales.

## Values

In conducting WSLCB business, we demonstrate:

Respect for people  
Honest and clear communication  
Professional conduct  
Accountability by honoring our commitments  
Involvement and inclusion of stakeholders and employees

## Goals

- (1) *Maximize revenues to the citizens of Washington.*
  - (2) *Enhance public safety by enforcing liquor and tobacco laws.*
  - (3) *Educate the public about the WSLCB mission and contributions to the community.*
  - (4) *Recruit, develop, retain and value a high-quality, diverse workforce.*
  - (5) *Modernize existing business systems and improve service delivery.*
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# INTRODUCTION

As a business owner and liquor licensee, you create jobs in the community and provide a valued service to your neighbors and customers. The Washington State Liquor Control Board wants to help you run a profitable business selling alcohol lawfully and responsibly.

The Liquor Control Board issues all state liquor licenses, it also is responsible for regulating the sale and distribution of all alcohol products in the state. These laws and rules are designed to ensure the safety and welfare of the public and your patrons.

As a liquor licensee it is your responsibility to follow Washington State's liquor laws and rules. This handbook summarizes your key responsibilities and refers you to the text of various laws and rules for more information. You can access a copy of these laws and rules on the Liquor Control Board's Internet site: [www.liq.wa.gov](http://www.liq.wa.gov). *(In Washington State, laws are passed by the Legislature and are referred to as RCWs, which stands for Revised Codes of Washington. Rules are passed by state agencies to implement laws, and are referred to as WACs, which stands for Washington Administrative Codes.)*

You also will work closely with your local Liquor and Tobacco Enforcement Officer, who can answer questions about the laws and help you operate safely and legally while serving your customers' needs.

This booklet was designed to help you understand the state's liquor laws, apply them in your daily business operations, and train your employees. Working together, we can make Washington a safe and productive place to live and work. If you have questions about liquor laws or rules, please call your local Liquor Control Board Enforcement office. A list of offices is on page 20.

## CHAPTER 1: LAWS AND RULES FOR ALL LIQUOR LICENSEES

The following pages contain information on liquor laws and rules that apply to all licensees.

### VERIFYING IDENTIFICATION

In Washington State it is illegal to sell alcohol to anyone under 21 years of age. (RCW 66.44.270)

Before serving a customer alcohol, assess if the person appears to be less than 21 years old or is of questionable age. We recommend that you check the ID of any customer who appears younger than 30. Following are the acceptable forms of ID for age verification. (RCW 66.16.040, and 66.20.160)

**A Driver's License or Instruction Permit** — A driver's license or instruction permit issued by any U.S. state or any Canadian province. (If the customer's Washington license has expired, he or she must *also* show either a valid temporary driver's license with the expired card, or have a current expiration extension sticker on the card).



Prior License Format



Current License Format

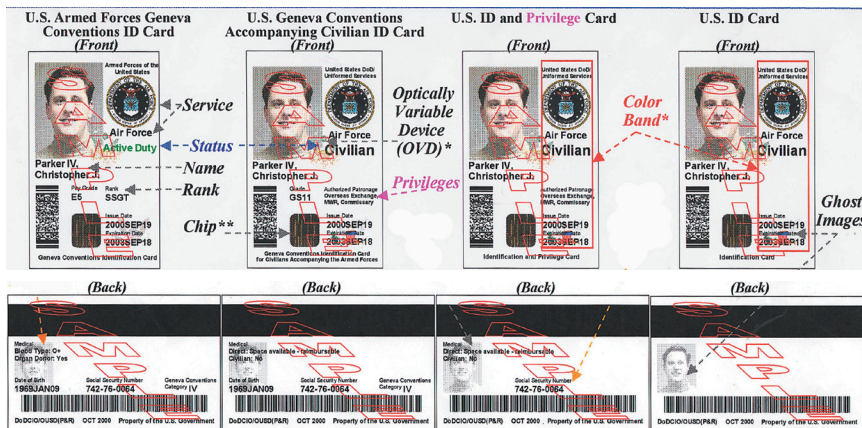
### Vertical format issued only to persons under 21



You may see Washington driver's licenses presented for identification that are punched. These punched IDs are acceptable if 1) the card is not expired, and 2) the punch is not through the photo, date of birth, expiration date, or signature.

## CHAPTER 1: LAWS AND RULES FOR ALL LICENSEES

**A U.S. Military ID** — An official U.S. Military ID card, including active duty, reserve, retired, and/or dependent card. U.S. Military identification cards come in different styles and colors. Usually the expiration date is on the front and the date of birth is on the back. Some U.S. Military ID cards do not contain signatures—but they are still acceptable to verify age.



**A Merchant Marine ID** — A Merchant Marine ID issued by the U.S. Coast Guard.

**A State Liquor Control ID** - An official age identification card issued by the liquor control authority of any U.S. state or Canadian province.

**A State ID Card** - An official state ID card issued by an U.S. state or Canadian province.

**An Official Passport** - Issued by any nation.

*Do not accept other forms of ID such as birth certificates, school or work identifications, Social Security cards, or other ID cards. These are not legal for proof of age for liquor sales in Washington.*

## CHAPTER 1: LAWS AND RULES FOR ALL LICENSEES

### **CHECK FOR SIGNS OF INTOXICATION**

Licensees and their employees need to know the signs of intoxication. This handbook can help you recognize when a customer is intoxicated. It is illegal to sell alcohol to anyone who appears to be intoxicated. When in doubt...don't sell alcohol. Selling alcohol to an intoxicated person can result in the loss of your liquor license and criminal charges.

(RCW 66.44.200 and WAC 314-11-035)

Federal and state laws prohibit discrimination against a person due to a disability. If a disability appears to explain a warning sign for possible intoxication, such as unsteady walking due to leg braces or drooping eyelids due to blindness, look for additional signs that may signal intoxication. Since some characteristics of certain disabilities may mimic signs of intoxication, only through diligent communication can you assure that individuals with disabilities are treated fairly. Do not be afraid to ask questions.

Remember, alcohol affects everyone differently. A person's level of intoxication may depend on how fast the person is drinking, the amount of food consumed, mood and other factors. Following are some of the most common signs of intoxication.

#### **Lack of physical coordination**

Spilling drinks can be a sign of intoxication, especially if it happens more than once. This may show that your customer has lost muscle control. Watch to see if the customer misses their mouth when raising their glass to drink.

#### **Carelessness or clumsiness with money**

Watch to see if your customer is dropping cash on the floor, has trouble picking it up or getting his/her wallet out, or cannot count out the right amount to pay.



## CHAPTER 1: LAWS AND RULES FOR ALL LICENSEES

### **Cigarette handling**

Is your customer lighting more than one cigarette at a time, or lighting the wrong end? Look for cigarettes left forgotten and burning in ashtrays, this can be a clue to the customer's general state of awareness.

### **Unsteady walking**

Watch for customers who are bumping into things or other customers.

### **Speech patterns**

Talk to your customers. Look for:

- Loud talking
- Bragging
- Arguing
- Swearing
- Complaining
- Slurred speech
- Talking slowly and deliberately
- A strong odor of alcohol

A summary sheet of this information is available from your local enforcement office. See page 20 for a list of offices.

## CHAPTER 1: LAWS AND RULES FOR ALL LICENSEES

### **NO DRINKING ON THE JOB**

No employee or licensee may drink alcohol while on duty. Employees and licensees who are drinking on duty cannot effectively judge the age or sobriety of customers. (WAC 314-11-015)

### **CUSTOMER CONDUCT**

Persons who become disorderly or conduct themselves in a manner that threatens a patron or employee's safety may not be allowed to remain on the premises. Licensees are responsible for the disorderly conduct of customers **anywhere on their licensed premises**, including, for example, parking lots and outdoor service areas. If a fight breaks out on your premises or you think there is a threat of violence, call the police.

(WAC 314-11-015)

### **HOURS OF ALCOHOL SALES**

The law allows liquor to be sold between 6 a.m. and 2 a.m., seven days a week.

Local governments may pass ordinances establishing earlier closing hours. Licensees should check local ordinances to find their community's legal hours. (WAC 314-11-070)

### **RIGHT TO INSPECT**

Liquor and Tobacco Enforcement Officers, as well as your local police, have a right to inspect liquor licensed premises and to examine books and records. The inspections are made to ensure licensees are complying with liquor and tobacco laws and rules. (RCW 66.28.090, 66.08.130, and 66.08.140)

## CHAPTER 1: LAWS AND RULES FOR ALL LICENSEES

### **RECORD KEEPING**

The following records must be made available for inspection if requested by the Liquor Control Board: Purchase invoices and supporting documents; bank statements and cancelled checks for business accounts, business accounting and tax records; and records of all financial transactions related to the business. Keep these records for at least two years. (WAC 314-11-090 and 314-11-095)

### **ACQUIRING AND PRICING LIQUOR**

Retail liquor licensees can legally purchase alcohol from the following sources: (RCW 66.44.150)

#### **Beer and Wine**

- A licensed Washington distributor (including a licensed Washington brewery or winery that distributes its own product)
- A Washington State Liquor Control Board state-run or contract liquor store

All alcohol must be sold at a price that is not lower than what the licensee paid for the alcohol.

### **RETAIL LIQUOR ADVERTISING**

Common advertising questions asked by retail licensees:

#### **ADVERTISED SPECIALS**

- Retailers cannot require the customer to purchase more than one drink at a time in order to receive a reduced price. This would include such advertising as “Two for the price of one,” “buy one, get one free,” etc. This type of advertising is considered to promote overconsumption.  
(WAC 314-52-110)
- Retail licensees may offer reduced price drinks and special pricing, as long as it does not put the price below cost of acquisition.

### **FREE OR COMPLIMENTARY LIQUOR**

- Advertising may not refer to “free” or “complimentary,” whether or not it is combined with a meal or event.
- Retailers cannot offer to treat customers as part of a promotion.

### **NOVELTY ITEM VS. POINT-OF-SALE ITEM**

- Novelty items provide a utilitarian benefit to the retailer. Examples of novelty items are clothing and equipment.
- The retail licensee may purchase novelty items from the manufacturer, importer, or distributor at not less than cost of the item. They cannot accept, purchase or barter with radio stations for branded merchandise.
- Point-of-sale material and brand signs have no value to the retailer except as brand advertising.
- Permanent POS, such as neon signs, branded mirrors, and display bins, may be displayed at no charge to the retailer. Permanent point-of-sale items must remain the property and responsibility of the liquor supplier.
- Liquor manufacturers, importers and distributors may provide disposable POS, such as matches, brochures, and posters to the retail licensee. The retail licensee may provide these items to its customers.
- Banners may be provided as POS, provided they are not customized to the retail premises. Such banners may include product name, product price, product size and product information.
- If a banner is imprinted with information customized to the premises it must be purchased by the retailer. For example, if the retailer adds prices of food, or advertises an event on a product banner, they must then purchase the banner.

## CHAPTER 1: LAWS AND RULES FOR ALL LICENSEES

- Examples: An outdoor banner imprinted with “Sonics Headquarters – MGD \$1.50” must be purchased by the retailer. “Official Sports Bar – Cold Bud Light” must be purchased.
- “MGD Regular Price \$2.00, now \$1.50”, no purchase required. “Go Sonics – Bud Light \$1.50”, no purchase required.
- Costumed mascots are limited in their activities to socializing with customers. Costumed mascots, including “girls” as well as other employees of the liquor manufacturer or distributor, cannot hand out point-of-sale materials to customers.

(WAC 314-52-080, 314-52-113)

Contact the board’s advertising coordinator at 360-664-1725 or [scf@liq.wa.gov](mailto:scf@liq.wa.gov), with any questions.

## CHAPTER 1: LAWS AND RULES FOR ALL LICENSEES

### REQUIRED SIGNS FOR ALL LICENSEES (WAC 314-11-060)

#### Master Business License

All businesses are required to conspicuously post the business's current and valid Master License, showing all classes of licenses and endorsements.

#### Fetal Alcohol Syndrome (FAS) Warning Signs

All retail liquor licensees or licensees with retail privileges are required to post warning signs provided by the LCB which educate the public about the birth defect Fetal Alcohol Syndrome (FAS). Signs are available from your local enforcement office.

Grocery, convenience stores, and beer/wine specialty shops must post a FAS warning sign at one or more of the following locations:

- At each permanent display area of shelving and at coolers displaying alcohol beverages.
- At the cash register(s) where alcohol is sold, and/or,
- The main entrance to the licensed premises.



#### Tobacco Signs

All licensees that also hold a tobacco license must:

- Display the license or a copy of the license in a prominent location at the business where tobacco products are sold,
- Display the license in a conspicuous place on the vending machine, and
- Display a sign or signs provided by the liquor control board concerning the prohibition of tobacco sales to persons under 18 years of age in a manner that allows the sign to be clearly visible to anyone purchasing tobacco products from the licensee at the point of purchase.
- No one is allowed to give or distribute cigarettes or other tobacco products to another person by coupon unless the coupon redemption requires an in-person transaction in a retail store.

### **PROTECTING YOUR LICENSE**

The following suggestions could help you protect yourself, your business, and your license:

- Have a written company policy that clearly spells out your rules for dealing with intoxicated customers, checking ID, and other important alcohol service issues.
- Train your employees so they understand your policies and know how to carry them out on the job.
- Have your employees sign your written policy statement, certifying that they have read and understand your policies.
- Back up your employees when they decide to refuse a sale to a customer.

### **PROHIBITED PRACTICES:**

#### **RETAIL & NON-RETAIL RELATIONSHIPS**

(RCW 66.28.010, WAC 314-12-114)

Washington State has laws and rules regarding the relationship between alcohol manufacturers, distributors, and retailers.

Following is a list of important rules you need to know:

- Retail licensees may not have any financial interest in or with any alcohol manufacturer, importer, or distributor.
- Unless specifically allowed by law or rule, retail licensees may not accept any discounts, gifts, loans, premiums, rebates, treats, or services from any alcohol manufacturer, importer, or distributor.
- Manufacturers, importers and distributors may not give, lend, or rent any equipment, fixtures, or supplies to retail licensees. They may, however, sell them on a cash basis at not less than their cost of acquisition.
- Distributors may build, rotate, and restock displays and price products of their own brands for the retailer. A distributor can only handle another beer/wine distributor's products with reasonable prior notice (at least 24 hours). A beer/wine distributor may NOT handle other grocery items.
- Retail licensees may not enter into any agreement to sell any particular brand(s) of alcohol beverage to the exclusion of another brand.
- Distributors may not make any sale of beer or wine dependent upon the purchase of any other product or item.
- Distributors may only take back beer or wine that was delivered to a retailer in error, if the error is discovered and corrected within 8 days of the delivery.
- Distributors may replace outdated products with the identical quantity, type and brand of products.
- Manufacturers and Distributors may not extend credit to retail licensees. Checks, credit card, debit card, or electronic funds transfer payments that are returned for insufficient funds may be considered an extension of credit and therefore a violation.



## CHAPTER 1: LAWS AND RULES FOR ALL LICENSEES

### PENALTIES

The Liquor Control Board issues penalties for violations of liquor laws or rules. These violations are categorized into four groups. (CHAPTER 314-29 WAC)

Group one, public safety violations. The standard penalty for this category of violations range from a 5 day suspension or a \$500 dollar fine, to license cancellation. These violations include:

- Sales or service of alcohol to persons under 21 years of age
- Allowing or engaging in criminal conduct
- Allowing disorderly conduct on the licensed premises
- Alcohol sale or service to an intoxicated person
- Refusing to allow an inspection by a law enforcement officer

Group two, conduct violations. The standard penalty for this category of violations range from a 5-day suspension or a \$250 dollar fine, to license cancellation. These violations include:

- An employee under legal age
- Alcohol sales, service, removal, or consumption between 2 a.m. and 6 a.m.
- Misuse of license or unauthorized use of license

Group three violations are for regulatory violations. The recommended penalty for this category of violations range from a 5-day suspension or a \$100 dollar fine, to a 20-day suspension. These violations include:

- Advertising violations
- Inventory below amount required
- Failure to properly register kegs
- Unauthorized alterations, change of trade name, or added activity
- Alcohol purchased from unauthorized source or sale of alcohol below cost

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Group 4 violations are for violations involving the manufacture, supply, and/or distribution of liquor by nonretail licensees and prohibited practices between a nonretail licensee and a retail licensee.

The recommended penalty for this category of violations range from a 3-day suspension or a \$500 dollar fine, to a 30-day suspension or a \$20,000 dollar fine. These violations include:

- Advertising violations
- Price posting/labeling/packaging violations
- Unauthorized product/unapproved storage or delivery
- Sampling/tasting
- Providing money or money's worth
- Providing/accepting exclusive or contingency agreements.

### KEG SALES

Any licensee who sells beer for off-premises consumption in kegs or other containers holding four or more gallons of beer must:

- Require the purchaser to provide at least one piece of acceptable identification.
- The licensee or employee and the purchaser must fill out a keg registration form, provided by the LCB through your local enforcement office.
- The seller affixes the keg registration form to the keg before it's removed from the premises.
- The keg registration receipts must be kept available for inspection as a part of the licensee's business records for a minimum of 1 year.

Books of keg registration forms are available from your local liquor enforcement office. Do not trade keg registration books or forms with other licensees--the numbers on the forms are recorded and checked out to your business.

(RCW 66.28.200 and RCW 66.28.260)

## CHAPTER 1: LAWS AND RULES FOR ALL LICENSEES

### PRIVATE COMPLIANCE CHECKS

Once approved by the Board, retail liquor licensees may conduct their own compliance checks using minors, under specific guidelines. (RCW 66.44.290, chapter 314-21 WAC)

Licensees who conduct private compliance checks, or “in-house controlled purchase programs,” can improve their employee training on preventing the sale of alcohol to minors. In a controlled situation, the licensee would hire an 18, 19, or 20 year old person to attempt to purchase alcohol.

Before conducting private compliance checks the following apply:

- Licensees must receive prior written approval from the Liquor Control Board before conducting a controlled purchase program.
- Licensees can use their own employees or can contract with a third party to conduct a controlled purchased program.
- It is the licensee’s responsibility to ensure the program meets the requirements of the law and rules.

Chapter 314-21 WAC outlines specific guidelines for controlled purchase programs. For more information, contact your local enforcement office. For a copy of the rules on private compliance checks, chapter 314-21 WAC, please go to our website at [www.liq.wa.gov](http://www.liq.wa.gov) (go to “Laws & Regulations,” and then “Current Laws & Regulations.”)

### MINOR EMPLOYMENT

A person must be 21 in order to sell, handle, or serve liquor. The following exceptions are provided for 18, 19, and 20 year olds if there is a person 21 years or older on duty to supervise the sale of liquor:

- Sell, stock, and handle beer and wine; and
- Deliver beer and/or wine to a customer's car with the customer (there is no minimum age requirement for an employee of a grocery store or a beer/wine specialty shop to deliver beer and/or wine to a customer's car with the customer.)

Persons 18,19,and 20 years old may not supervise employees who sell, stock, or handle beer and/or wine.

### CHAPTER 2: GROCERY AND CONVENIENCE STORE LICENSE

A grocery store license allows a licensee to sell beer and/or wine for off-premises consumption.

#### INVENTORY REQUIREMENTS

In order to maintain a grocery store license, the premises must be stocked with an inventory of at least three thousand dollars wholesale value of food for human consumption, not including soft drinks, beer, or wine. This minimum inventory must be:

- stocked within the confines of the licensed premises; and
- maintained at the premises at all times the business is licensed, with the exception of:
  - ✓ The beginning and closing inventory for seasonal operations; or
  - ✓ When the inventory is being sold out immediately prior to discontinuing or selling the business.

A grocery store licensee may sell beer in kegs or other containers holding at least four gallons and less than five and one-half gallons of beer. See page 19 regarding keg registration requirements.

It is **not** required by the Liquor Control Board that alcohol products be bagged for customers.

## CHAPTER 3: BEER AND/OR WINE SPECIALTY STORE LICENSE

A beer and/or wine specialty store license allows a licensee to sell beer and/or wine for off-premises consumption.

### INVENTORY REQUIREMENTS

To maintain a beer and/or wine specialty store license, the premises must be stocked with an inventory of beer and/or wine in excess of three thousand dollars wholesale value. This inventory must be:

- Stocked within the confines of the licensed premises; and
- Maintained on the premises at all times the premises is licensed, with the exception of beginning and closing inventory for seasonal operations or when the inventory is being sold out immediately prior to discontinuing or selling the business.

### SAMPLING BEER AND/OR WINE

A beer and/or wine specialty store licensee may allow customers to sample beer and wine for the purpose of sales promotion, **if** the primary business is the sale of beer and/or wine at retail. A licensee's gross retail sales of beer and/or wine must exceed fifty percent of all gross sales for the entire business. Sampling may be conducted under the following conditions:

- Each sample must be two ounces or less;
- No more than a total of eight ounces may be provided to a customer during a visit;
- No more than one sample of any single brand and type of beer or wine may be provided to a customer during any one visit to the premises; and
- No samples to persons under 21 years of age.



## **KEG SALES**

A beer and/or wine specialty store licensee may sell beer in kegs or other containers holding at least four gallons and less than five and one-half gallons of beer. See page 14 for more information on keg sales.

## **CHAPTER 4: BEER AND/OR WINE GIFT DELIVERY LICENSE**

A beer and/or wine gift delivery license allows a business that is primarily engaged in the retail sale of gifts or flowers to deliver beer and/or wine in bottles or original packages. The beer or wine must be delivered in conjunction with the gifts or flowers. In order to maintain a beer and/or wine gift delivery license the licensee must continue to meet the following requirements:

- The business must be primarily engaged in the retail sale of gifts or flowers. In order to determine that the business meets this qualification, the board may inspect an applicant's or licensee's inventory, sales figures, and business records.
- A beer and/or wine gift delivery licensee may not hold any other class of liquor license.

## CHAPTER 5: ENFORCEMENT OFFICE LOCATIONS PHONE NUMBERS

**Bellingham (360) 676-2073**; 1720 Ellis St., Ste. 210

**Bremerton (360) 478-4500**; Washington Mutual Building, 500 Pacific Ave., Ste. 501

**Everett (425) 513-5114**; 909 SE Everett Mall Way Ste. D-480

**Kennewick (509) 734-7170**; 4310 West 24th Ave., Ste. 2D

**Olympia (360) 753-6271**; 2420 Bristol Court SW, Ste. 102

**Seattle (206) 464-6094**; 4401 E Marginal Way S.

**Spokane (509) 625-5513**; 1303 W. Broadway

**Tacoma (253) 471-4589**; 6240 Tacoma Mall Blvd., Roberson Building, Ste. 208

**Vancouver (360) 260-6115**; 12501 NE 99th St., Ste A-100

**Wenatchee (509) 662-0408**; 100 9th St.

**Yakima (509) 575-2763**; 1222 S. 1st



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